

**PUBLIC INTEGRITY COMMISSION
AGENDA
February 19, 2019
10:00 A.M.
Margaret O'Neill Building
2nd Floor Conference Room
410 Federal Street
Dover, DE 19901**

1. Approval of Minutes for December 18, 2018

2. Administrative Items

A. Officer elections.

B. The Delaware Supreme Court will make a decision on the briefs in the *Abbott v. PIC* matter on February 19, 2019. The court will be sitting *en banc* (all five Justices).

3. Executive Sessionⁱ and Requests for Advisory Opinions, Waivers and Referrals

A. PIC was served a subpoena for all records related to his alleged request for an advisory opinion in 2006. The only document we had regarding his request was a copy of a letter he sent to the Department of Labor in 2014. We have no such records.

B. Two people were referred to the Attorney General's Office for consideration of prosecution and/or fines for breaching the confidentiality provisions in the Code of Conduct. All parties were made aware that the confidentiality provision may be unconstitutional with citations to applicable case law.

Update: The Attorney General's office decided that the confidentiality portion of our statute is likely unconstitutional and declined prosecution.

18-27B	10:20	Private Interest Agency Head—Facts related to this matter that were misrepresented to the Commission
18-46	10:30	Personal & Private Interest Majority of school board are members of an organization with ties to the school
18-50	10:45	Outside Employment Director of State facility has 2 PT positions—No appearance.
18-06	11:15	Personal Interest Employee wants to contract with his own agency.
18-27B	11:30	Private Interest Applicant has a prior opinion from the Commission but facts relied upon by the Commission may not have been accurate.
19-01	11:45	Dual Compensation State employee has two State jobs with the same hours.
19-02	12:00	Personal Interest Agency contracts with a personal friend. Determine conflict and waiver if necessary.
19-03	12:15	Outside Employment State employee encounters agency's clients while working PT for City of Wilmington.

4. Adjournment

ⁱ Pursuant to 29 Del. C. § 10004(6) to discuss non-public records (29 Del. C. § 10002(6) Any records specifically exempted from public disclosure by statute or common law), as the written statements required for advisory opinions and complaints are subject to the confidentiality standards in 29 Del. C. § 5805(f), 29 Del. C. § 5807(d) Advisory Opinion Requests, and 29 Del. C. § 5810(h) for Complaints. Further, the proceedings, like personnel actions are, by statute, closed unless the applicant for the advisory opinion requests a public meeting, 29 Del. C. § 5805(f), 29 Del. C. § 5807(d), or the person charged in a complaint requests a public meeting. 29 Del. C. § 5810(h). No applicant for an advisory opinion, nor a person charged by a complaint has requested an open meeting.